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Superior Court of California  
County of Fresno  
By: J. Nelson, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF FRESNO

**COUNTY OF SANTA CRUZ, ET AL.,**  
  
Plaintiffs,  
  
v.  
  
**BUREAU OF CANNABIS CONTROL;  
LORI AJAX, in her official capacity as  
Chief of the Bureau of Cannabis Control;  
and DOES 1 through 10, inclusive,**  
  
Defendants.

Case No. 19CECG01224

**DEFENDANTS' ANSWER TO  
COMPLAINT FOR DECLARATORY  
AND INJUNCTIVE RELIEF**

(Code Civ. Proc., § 431.30)

Action Filed: April 4, 2019

Defendants Bureau of Cannabis Control and Lori Ajax, in her official capacity as the Chief of the Bureau of Cannabis Control (collectively "Defendants"), answer Plaintiffs' unverified Complaint for Declaratory and Injunctive Relief ("Complaint") as follows:

1. Defendants generally deny each and every allegation of Plaintiffs' Complaint.
2. Defendants state the following as affirmative defenses to Plaintiffs' Complaint:
  - a. The Complaint, and the claims for relief alleged therein, fail to state facts sufficient to constitute a cause of action;
  - b. The Complaint, and any cause of action alleged therein, is barred because no actual controversy exists between the parties;
  - c. The Complaint, and any cause of action alleged therein, is barred because Plaintiffs are not real parties in interest and lack standing to sue;
  - d. The Complaint, and any cause of action alleged therein, is barred by the doctrine of lack of ripeness;
  - e. The Complaint, and any cause of action alleged therein, is barred because Plaintiffs have not been and/or will not be irreparably harmed;
  - f. The Complaint, and any cause of action alleged therein, is barred because the Complaint is uncertain, vague, and ambiguous;
  - g. The Complaint, and any cause of action alleged therein, is barred by the doctrine of waiver and consent;
  - h. The Complaint, and any cause if action alleged therein, is barred by Plaintiffs' failure to exhaust administrative and judicial remedies;
  - i. The Complaint, and any cause of action alleged therein, is barred by the doctrine of laches;
  - j. The Complaint, and any cause of action alleged therein, is barred because Plaintiffs failed to mitigate any alleged damages; and
  - k. Defendants have not knowingly or intentionally waived any applicable affirmative defense. Because Plaintiffs did not clearly state the issues in the Complaint and the Complaint is couched in conclusory terms, Defendants cannot anticipate fully all affirmative defenses that may be applicable to this matter. Defendants reserve the right to assert and rely upon other such affirmative defenses as may become available or apparent during discovery

proceedings or as may be raised or asserted by others in this case, and to amend their answer and/or affirmative defenses accordingly. Defendants further reserve the right to amend the answer to delete affirmative defenses that are determined to not be applicable after subsequent discovery.

**PRAYER**

WHEREFORE, Defendants pray that:

1. Plaintiffs take nothing by reason of the Complaint;
2. Judgment be entered in favor of Defendants;
3. Defendants be awarded costs incurred in defending this action; and
4. Defendants be awarded such further relief that the Court may deem just and proper.

Dated: May 17, 2019

Respectfully Submitted,

XAVIER BECERRA  
Attorney General of California  
ALVARO MEJIA  
Supervising Deputy Attorney General  
STACEY L. ROBERTS  
Supervising Deputy Attorney General



HARINDER K. KAPUR  
Senior Assistant Attorney General  
*Attorneys for Bureau of Cannabis Control  
and Lori Ajax, Chief of the Bureau of  
Cannabis Control*

SD2019800254

**DECLARATION OF SERVICE BY OVERNIGHT COURIER**

Case Name: **County of Santa Cruz, et al. v. Bureau of Cannabis Control, et al.**

Case No.: **19CECG01224**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is: 600 West Broadway, Suite 1800, P.O. Box 85266, San Diego, CA 92186-5266.

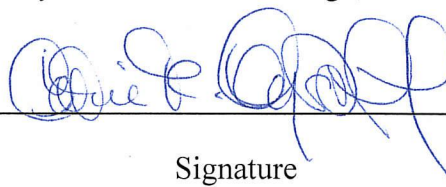
On May 17, 2019, I served the attached **DEFENDANTS' ANSWER TO COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF** by placing a true copy thereof enclosed in a sealed envelope with the **FEDERAL EXPRESS**, addressed as follows:

Steven G. Churchwell  
Attorney at Law  
Churchwell White LLP  
1414 K Street, 3rd Floor  
Sacramento, CA 95814  
*(Counsel for Plaintiffs)*

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on May 17, 2019, at San Diego, California.

\_\_\_\_\_  
Carrie F. Krystoff

Declarant

\_\_\_\_\_  
  
Signature